

ADDENDUM 2
BID FORM

FOR

UHM CTAHR
PEARL CITY URBAN GARDEN CENTER

GENERAL REPAIRS

Office of Capital Improvements
University of Hawaii
Biomedical Sciences Building, Room B-102
1960 East-West Road
Honolulu, Hawaii 96822

To Whom It May Concern:

The undersigned has carefully examined the INVITATION FOR BIDS (IFB) NO. B2017000076, FOR UHM CTAHR, PEARL CITY URBAN GARDEN CENTER, GENERAL REPAIRS, UNIVERSITY OF HAWAII AT MANOA, HONOLULU, HAWAII, PROJECT NO. UHM 14-541-870A2, and offers to furnish all labor, materials, tools, and equipment necessary to complete all work as specified, in strict accordance with the true intent and meaning of the Plans and Invitation for Bids (IFB) and shall complete all work within **ONE HUNDRED EIGHTY (180)** consecutive calendar days from the date designated in the Notice to Proceed.

BASIC BID: The project shall in general consist of demolition, removal, and disposal of existing items, including hazardous material abatement. General Contractor shall hire a third party Qualified Consultant to provide air monitoring, sampling and testing for asbestos-containing materials. New work consists of installation or application of the following items: rough and finish carpentry; sheet metal gutters/downspouts; sealants, doors and windows including hardware; resilient flooring; painting; accessories; toilet restoration; plumbing; electrical work; **air conditioning, structural work** and other related work, as called for on the Plans and Technical Specifications. As part of the basic bid, the contractor shall also include the installation of new resilient floor tile at the "ADA-RESTROOM" of the Main Office building. This new floor tile selection shall be identical to the new flooring at the "Classroom". Installation and application of the finish flooring shall be as indicated in the specifications.

For the sum of

_____ DOLLARS (\$_____),

including all material and non-material costs, labor costs, equipment costs, foreign taxes, transportation costs, vehicle costs, air freight costs, shipping costs, supply costs, mobilization costs, insurance premiums, warranty costs, administrative support costs, rental costs, overhead costs, expediting fees and all applicable taxes (Federal and State).

TO BE ELIGIBLE TO BID, BIDDERS MUST POSSESS A VALID STATE OF HAWAII CONTRACTOR'S LICENSE B.

IN ADDITION, BIDDERS MUST EITHER POSSESS OR LIST SUBCONTRACTORS WHO POSSESS SPECIALTY CONTRACTOR LICENSES FOR THE SPECIALTY WORK REQUIRED FOR THIS PROJECT.

THE BIDDER SHALL BE SOLELY RESPONSIBLE FOR INSURING THAT ALL SPECIALTY LICENSES REQUIRED TO COMPLETE THE PROJECT ARE COVERED IN ITS BID. FAILURE TO LIST ALL REQUIRED SUBCONTRACTORS MAY BE GROUNDS FOR DISQUALIFICATION.

SITE VISIT(S)

Bidders shall arrange for an appointment by calling Alan Tarumoto, Facilities Management Office, telephone (808) 956-3676, on any normal working day, Monday through Friday, after 8:00 a.m., but not later than 4:00 p.m.

REQUIREMENTS FOR CONTRACT AWARD

To be eligible for award (refer to General Provision 3.10), the successful Offeror must submit the following:

1. Certificate of Good Standing issued by the State of Hawaii, Department of Commerce and Consumer Affairs in accordance with Section 103D-310, HRS, and Section 3-122-112, Hawaii Administrative Rules.
2. Certificate of Compliance issued by the State of Hawaii, Department of Labor and Industrial Relations in accordance with Section 103D-310, HRS, and Section 3-122-112, HAR.
3. Tax Clearance for Contracts from the State of Hawaii, Department of Taxation and the Internal Revenue Service certifying that all tax returns due have been filed, and all taxes, interest, and penalties levied or accrued under the provisions of Title 14 that are administered by the DOTAX and under the Internal Revenue Code against the Offeror, have been paid. This shall apply to all contracts, whether with Hawaii Offerors, out-of-state Offerors, or nonprofit organizations.

This shall not apply to Offerors if the DOTAX certifies that the Offeror is in good standing under a plan in which delinquent taxes are being paid to the DOTAX (and the IRS, if applicable) in installments.

To meet the above requirements, the State of Hawaii has developed an electronic proof of compliance process, Hawaii Compliance Express, that allows a vendor to obtain the aforementioned certifications by registering on-line at:

<http://vendors.ehawaii.gov/hce/splash/welcome.html>.

Vendors shall electronically register with the Hawaii Compliance Express to obtain a Certificate of Vendor Compliance which is acceptable as proof of compliance for both contracting purposes and final payment.

CHANGE ORDER COST PROPOSALS

1. Change Order Work.
 - a. All cost proposals must be submitted on form UH FPMO-96, CHANGE ORDER PROPOSAL FORM, and must contain all required information. This applies to the Contractor, as well as any cost proposal from any subcontractor, regardless of tier;
 - b. All cost proposals for change order work must contain an original signature of an officer authorized to sign on behalf of the company submitting the cost proposal; and
 - c. Pursuant to General Provision 6.3, Change Orders in Construction Contracts, of the contract, supporting documentation shall be submitted upon request by the University.
2. Credit Proposals.
 - a. All credit proposals must be submitted on form UH FPMO-96, CHANGE ORDER PROPOSAL FORM. This applies to the Contractor, as well as any credit proposal from any subcontractor, regardless of tier;
 - b. All credit proposals must reflect a breakdown of Material/Equipment costs, Labor costs (including Fringe costs), totals for Line Item Nos. 6, 7 & 8, Subcontractor costs (if applicable), Equipment Miscellaneous costs, Bond Fee costs (if applicable), and Gross Income Tax costs. This applies to any credit proposal from any subcontractor, regardless of tier;

- c. All cost proposals for change order work must contain an original signature of an officer authorized to sign on behalf of the company submitting the cost proposal; and
- d. Pursuant to General Provision 6.3, Change Orders in Construction Contracts, of the contract, supporting documentation shall be submitted upon request by the University.

LIQUIDATED DAMAGES

If the Contractor fails to complete the work or any portion of the work within the time or times fixed in the contract or any extension thereof, the Contractor shall pay to the University \$ 500.00 per each calendar day of delay. The liquidated damages constitute a reasonable estimate of the actual damages to be incurred by the University and are not meant to be a penalty.

INTERPRETATION OF PLANS AND SPECIFICATIONS

Bidders are cautioned to review the Plans and Technical Specifications carefully and thoroughly. **In instances where conflicts occur within the Plans and/or between the Plans and Technical Specifications and/or within the Technical Specifications, the more stringent requirement(s) shall be applied by the bidder when formulating its written quote. Failure by the bidder to apply/adhere to the more stringent requirement(s) shall not constitute the basis for price adjustment(s).** Objections to or requests for clarification of the Plans and/or Technical Specifications shall be submitted via HePS QUESTIONS AND ANSWERS section, no later than 4:00 p.m. on the date designated in the NOTICE TO BIDDERS.

BASIS FOR AWARD

The award of contract, if awarded, shall be made to the responsible bidder* submitting the responsive bid with the lowest evaluated **BASIC BID**. In the event that all basic bids exceed the amount of funds available for the project, the University nevertheless reserves the right to make award to the responsible bidder* submitting the lowest responsive basic bid if additional funds are available or by reducing the scope of work through negotiation.*

- * **If prior to contract award, the University's records indicate that the apparent low bidder has received one or more University projects over the previous TWO (2) years, or is going to receive on a current project (where work is at least 50% complete), an "unsatisfactory" rating under the University's Performance Evaluation System, the offeror's proposal may be disqualified from consideration. Such a determination shall be at the discretion of the Director of the Facilities Office from which the project originated.**

NOTE TO CONTRACTORS

An acceptable written quotation must conform in all material respects to this Invitation for Bids. Any of the following may be grounds for disqualification:

1. Taking exception to any of the specifications, terms or conditions contained in the IFB.
2. Placing conditions on the furnishing of solicited goods or services.
3. Inclusion of a quotation or order form containing additional specifications, terms or conditions.
4. Referencing external documents containing additional specifications, terms or conditions.
5. Evidence of collusion among bidders.
6. Lack of responsibility and cooperation as shown by past work such as failing to complete all of the requirements to close the project within a reasonable time or engaging in a pattern of unreasonable or frivolous claims for extra compensation.

7. More than one bid for the same project from an individual, firm, partnership, corporation or joint venture under the same or different name.
8. Lack of responsibility, including, but not limited, to arrearages on existing contracts in litigation with the State of Hawaii, or defaults on a previous contract.
9. Being in arrears on existing contracts with the University and State of Hawaii, or having defaulted on a previous contract with the University or the State of Hawaii.
10. Delivery of bids after the deadline.
11. Failure to follow directions and instructions in the invitation.
12. Failure to pay, or satisfactorily settle, all bills overdue for labor and materials of former contracts in force at the time of issuance of bid forms.
13. Debarment or suspension consistent with applicable Hawaii law.

Contractors are advised that bids are evaluated as submitted and requests by Contractors to delete conditions contained in their bids after the bid due date cannot be considered.

Attention of the bidders is directed to the contract performance bond, contract payment bond and insurance requirements of this IFB which should be carefully considered before submitting a bid. Failure to provide a contract performance bond and contract payment bond will result in forfeiture of your bid security and failure to comply with the insurance requirements will result in forfeiture of your bid security or your contract performance bond.

NOTICE TO CONTRACTORS

PERIODIC INCREASES OF MINIMUM WAGES FOR PUBLIC WORKS CONSTRUCTION CONTRACTS

Section 104-2, Hawaii Revised Statutes, provides that laborers and mechanics employed on State construction contracts exceeding \$2,000 shall be entitled to any increases in prevailing wage rates as determined by the Director of the Department of Labor and Industrial Relations (DLIR), and as published in the wage rate bulletins, regardless of the prevailing wage rates in effect at the time of contracting. It is the responsibility of the Contractor to keep current of all changes to the prevailing wage rates. Pursuant to Section 12-22-6 (1), Hawaii Administrative Rules, the Apprentice Schedule is applicable only to apprentices who are parties to apprenticeship agreements registered with or recognized by the DLIR.

Wage rate bulletins are issued periodically by the Research and Statistics Office, Department of Labor and Industrial Relations and may be found at <http://hawaii.gov/labor/rs/WRS/WRS.htm>

THE UNIVERSITY WILL NOT CONSIDER CHANGES TO THE WAGE RATE BULLETIN AS A BASIS FOR AN INCREASE IN CONTRACT PRICE. CONTRACTORS ARE ALSO CAUTIONED THAT FAILURE TO COMPLY WITH THE REQUIREMENTS OF SECTION 104-2, HAWAII REVISED STATUTES, MAY BE PUNISHABLE BY A FINE OF \$1,000 PER OFFENSE BEING ASSESSED AGAINST A CONTRACTOR FOR A FIRST VIOLATION.

APPRENTICESHIP AGREEMENT PREFERENCE

*The estimated construction cost for this project is \$250,000.00 or more. The apprenticeship agreement preference pursuant to Chapter 103-55.6, HRS, shall apply to this project. A bidder seeking to claim the preference shall list each apprenticeable trade the bidder will employ to perform the work for this project in the spaces provided below. In addition, the bidder is required to furnish written proof of being a party to a registered apprenticeship agreement by providing the corresponding Certification of Bidder's Participation Form 1 for each trade listed, in accordance with General Provision 3.2.

The bidder hereby certifies that it will employ the following apprenticeable trades to perform the work for this project:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

(Attach additional sheets if necessary).

PREFERENCE FOR HAWAII PRODUCTS

Hawaii Products Preference shall apply to this project. Bidders shall indicate in the Hawaii Product Schedule below whether pre-approved Hawaii Products are offered. Bidders offering a Hawaii Product shall fill-in the quantity, unit of measure, unit price and total price for the Hawaii Product they desire to be considered for preference. Products not pre-approved shall not be considered. Hawaii Products not meeting the requirements of the specifications shall not be considered. Refer to General Provision 3.1 for more information regarding the Preference for Hawaii Products.

<u>Item No.</u>	<u>Pre-Approved Hawaii Product Description & Manufacturer</u>	<u>Class (I or II)</u>	<u>Quantity</u>	<u>Unit Measure</u>	<u>Unit Price</u>	<u>Total Price</u>
1	Aggregates					
	Ameron International Corporation	I				
	Grace Pacific Corporation	I				
	Pohaku Pa'a, LLC dba HC&D, LLD	I				
	Sphere, LLC	I				
	West Oahu Aggregate Co., Ltd.	I				
2	Cement and Concrete					
	Ameron International Corporation	I				
	Pohaku Pa'a, LLC dba HC&D, LLD	I				
	Tileco Inc.	I				
3	Construction Signs					
	Safety Systems Hawai'i, Inc	I				
4	Metal Roofing and Flashing - Preformed					
	HPM Building Supply	I				
5	Welded Wire Mesh					
	Kila Manufacturing, LLC	I				

Prices for Hawaii products shall include all material and non-material costs, labor costs, equipment costs, foreign taxes, transportation costs, vehicle costs, air freight costs, shipping costs, supply costs, mobilization costs, insurance premiums, warranty costs, administrative support costs, rental costs, overhead costs, expediting fees and all applicable taxes (Federal and State).

TAX LIABILITY

Both out-of-state and Hawaii Contractors are advised that the amount of the written quotation on this solicitation is subject to the general excise tax imposed by Chapter 237, Hawaii Revised Statutes (HRS), and if tangible property is being imported into the State of Hawaii for resale, then the use tax imposed by Chapter 238, HRS. (Refer to TAXES in the GENERAL PROVISIONS.) Bidders are therefore cautioned to consider such taxes in formulating their written quotes since no adjustments to the prices quoted shall be allowed.

In the event that the undersigned is awarded this contract and its remittance address differs from the address shown on page BID - 11, please indicate remittance address below:

Street Address or P. O. Box

City State Zip Code

LISTING OF JOINT CONTRACTOR AND/OR SUBCONTRACTORS
(Page 1 of 2)

The following information shall be submitted, on this form, by each bidder as a bid requirement.

It is the sole responsibility of the bidder to review the requirements of this project and determine the appropriate specialty Contractor's licenses that are required to complete the project.

Each bidder shall include the name, license number and classification code of each person or firm to be engaged by the bidder as a joint contractor or subcontractor(s) for performance of this contract. Failure to provide correct names and active license numbers as registered with the Contractor's License Board may be grounds for rejection of the bid submitted. The bid shall also indicate the nature and scope of work to be performed by such joint contractor or subcontractor(s).

The bidder acknowledges that as a general contractor ('A' or 'B' license) the bidder is prohibited from undertaking any work solely or as part of a larger project, which would require the bidder ('A' or 'B' general contractor) to act as a specialty ('C' license) contractor in any area in which the bidder ('A' or 'B' general Contractor) has no specialty Contractor's license. The bidder ('A' or 'B' general Contractor) must have the appropriate 'C' specialty Contractor's licenses either obtained on its own, or obtained automatically under the rules and regulations of the Contractor's License Board, Department of Commerce and Consumer Affairs. This list shall not be changed or altered without the written consent of the Procurement Officer.

All bids which do not comply with this requirement may be rejected.

Name of Joint Contractor and/or Subcontractor(s) (specify which)	*License Number	Classification Code	Nature and Scope of Work

CERTIFICATION REQUIRED ON PAGE 2 OF OPRPM FORM 54

LISTING OF JOINT CONTRACTOR AND/OR SUBCONTRACTORS
(Page 2 of 2)

Name of Joint Contractor and/or Subcontractor(s) (specify which)	*License Number	Classification Code	Nature and Scope of Work

The PRIME CONTRACTOR shall indicate its principal contractor's license number and classification code(s) it possesses.

*License Number

Classification Code(s)

The contractor hereby certifies that the information provided is accurate and that itself and the joint contractor/subcontractor(s) listed meet all license or permit requirements for the State of Hawaii for this contract.

By _____
Title: _____ Date _____

*License number in compliance with Chapter 444-9, HRS and the Rules and Regulations of the Contractors License Board, Department of Commerce and Consumer Affairs.

**REQUIRED INFORMATION ON PERFORMANCE AND PAYMENT BONDS
FOR CONTRACTS EXCEEDING \$25,000**

In the event the Contractor is awarded the contract for this IFB, it shall provide the following information relating to the Surety's **local** Attorney-in-Fact:

Name: _____

Company: _____

Address: _____

Telephone: _____

Facsimile: _____

**FAILURE TO PROVIDE THE FOREGOING INFORMATION WITH ONE'S BID SUBMITTAL MAY BE
GROUNDS FOR DISQUALIFICATION.**

NOTE:

In the event the bidder intends on submitting Performance and Payment Bonds issued by a Surety located outside the State of Hawaii (but which is authorized to transact business as a Surety in this State), such contract securities shall:

- 1) Be signed and/or countersigned by the Surety's local General Agent;
- 2) Identify an individual in the State of Hawaii who is given full authority to act as Power of Attorney for the Surety; and
- 3) Have all countersignatures acknowledged by a Notary Public in the State of Hawaii.

Bid Security made payable to the University of Hawaii must accompany the bid, if the total amount of the item(s) bid is \$25,000 or more. **(See GENERAL PROVISION 2.8, BID SECURITY/OFFER GUARANTEE, for Acceptable forms of Bid Security.)**

(IF BY INDIVIDUAL)

NAME (Signature) TYPED NAME

D.B.A.

SOCIAL SECURITY NUMBER

ADDRESS

FEDERAL TAXPAYER
IDENTIFICATION NUMBER

CITY STATE ZIP CODE

TELEPHONE NUMBER FAX NUMBER

(IF BY PARTNERSHIP)

OFFICIAL/LEGAL NAME OF FIRM

NAME (Signature) TYPED NAME

FEDERAL TAXPAYER
IDENTIFICATION NUMBER

PARTNER

ADDRESS

CITY STATE ZIP CODE

TELEPHONE NUMBER FAX NUMBER

(IF BY CORPORATION)

OFFICIAL/LEGAL NAME OF COMPANY

FEDERAL TAXPAYER
IDENTIFICATION NUMBER

*OFFICER (Signature) TYPED NAME

TITLE

ADDRESS OF COMPANY

CITY STATE ZIP CODE

TELEPHONE NUMBER FAX NUMBER

(SEAL)

IF LICENSED OR INCORPORATED TO DO BUSINESS WITHIN THE STATE OF HAWAII AND SUBJECT TO THE PROVISIONS OF THE HAWAII GENERAL EXCISE TAX LAWS, INDICATE GENERAL EXCISE TAX LICENSE NUMBER _____.

*Please attach to this page evidence of the authority of this officer to submit a bid on behalf of the corporation.

NOTE: FILL IN ALL BLANK SPACES WITH INFORMATION ASKED FOR OR BID MAY BE INVALIDATED.